**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	Mark (nmi) Albert et al.
Serial No.:	10/645,139
Filing Date:	August 21, 2003
Confirmation No.:	7140
Group Art Unit:	3628
Examiner:	Akiba K. Robinson Boyce
Title:	SYSTEM AND METHOD FOR MANAGING ACCESS FOR AN END USER IN A NETWORK ENVIRONMENT

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

REPLY BRIEF

Pursuant to 37 C.F.R. § 1.193, Appellants respectfully file this Reply Brief in response to the Examiner's Answer dated April 29, 2010 ("Examiner's Answer"). Appellants maintain that the final rejection of Claims 1-5, 7-13, 15-19, 21-25, and 27 is improper and respond to the Examiner's Answer below.

Status of Claims

Claims 1-5, 7-13, 15-19, 21-25, and 27 are rejected pursuant to a Final Office Action dated May 2, 2006 ("Final Office Action"), and are all presented for appeal.

Grounds of Rejection to be Reviewed on Appeal

1. Are Claims 1-6, 8, and 10-27 patentable under 35 U.S.C. § 102(e) over U.S. Patent No. 6,505,174 issued to Keiser et al. ("*Keiser*")?

2. Are Claims 7 and 9 patentable under 35 U.S.C. §103(a) over *Keiser* as modified by the Examiner?

Arguments

Appellants filed an Appeal Brief and Amended Appeal Briefs on October 17, 2006, December 27, 2006, May 21, 2007, December 11, 2009, and February 1, 2010 and a Reply Brief on October 21, 2007 explaining clearly and in detail why Claims 1-5, 7-13, 15-19, 21-25, and 27 are allowable under 35 U.S.C. §§ 102 and 103. For the reasons presented in the Appeal Brief and presented below, Appellants respectfully submit that these rejections continue to be improper and should be reversed by the Board.

I. Claims 1-6, 8, and 10-27 are patentable under 35 U.S.C. § 102(e) over *Keiser*.

Appellants respectfully submit that *Keiser* fails to disclose, teach, or suggest elements specifically recited in Appellants' claims. For example, *Keiser* fails to disclose, teach, or suggest the following recited in independent Claim 1:

> the quota reflects a currency for the end user to apply in accessing the data segment.

The Examiner argues that purchasing a security teaches the above element:

> Here, the quota is represented by the price being set to a price that a security must obtain before a trade order is filled in a stop limit order. In this case, Keiser describes an example where a trader will only buy a movie stock below $30, and when the market research user directs the system to obtain stop limit order information for that movie, a query is performed to retrieve price per share and volume figures for all requested securities (including the movie). In this case, if the limit for such an order is not met, then that trader will buy the movie if the answer table indicates that the price per share of the movie is below $30 (this price therefore represents the quota), and pending cash balances can therefore be applied to access the security (data segment) if the limit for the order is not met.

(Examiner's Answer, p. 12, ¶ 3, line 9–p. 13, ¶ 1, line 8.)

Appellants respectfully submit that purchasing a security fails to disclose, teach, or suggest accessing a data segment. A data segment is different from a security. Moreover, when a data segment is accessed, it is not purchased.

For at least these reasons, independent Claim 1 and its dependent claims are allowable under 35 U.S.C. § 102. For analogous reasons, independent Claims 10, 16, and 22 and their respective dependent claims are allowable under 35 U.S.C. § 102.

II. Claims 7 and 9 are patentable under 35 U.S.C. §103(a) over *Keiser* as modified by the Examiner.

For the reasons discussed above, Claims 7 and 9 are allowable under 35 U.S.C. § 103.

Accordingly, Appellants respectfully submit that the rejections of Claims 1-5, 7-13, 15-19, 21-25, and 27 are improper and should be reversed by the Board.

CONCLUSION

Appellants have demonstrated that the present invention, as claimed, is clearly distinguishable over the prior art cited by the Examiner. Therefore, Appellants respectfully request the Board of Patent Appeals and Interferences to reverse the final rejection of the Examiner and instruct the Examiner to issue a notice of allowance of all pending claims.

Appellant believes no fee is due. However, if this is not the case, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,
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Date: June 10, 2010

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